

**FILED**

OCT 15 2010

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

**FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

**COMITE DE JORNALEROS DE  
REDONDO BEACH; NATIONAL DAY  
LABORER ORGANIZING  
NETWORK,**

Plaintiffs - Appellees,

v.

**CITY OF REDONDO BEACH,**

Defendant - Appellant.

No. 06-55750

D.C. No. CV-04-09396-CBM

**ORDER**

**COMITE DE JORNALEROS DE  
REDONDO BEACH; NATIONAL DAY  
LABORER ORGANIZING  
NETWORK,**

Plaintiffs - Appellees,

v.

**CITY OF REDONDO BEACH,**

Defendant - Appellant.

No. 06-56869

D.C. No. CV-04-09396-CBM

**KOZINSKI**, Chief Judge:

Upon the vote of a majority of nonrecused active judges, it is ordered that this case be reheard en banc pursuant to Circuit Rule 35-3. The three-judge panel opinion shall not be cited as precedent by or to any court of the Ninth Circuit.